

**Testimony to the Sub-Committee on Oceans and Fisheries
of the Commerce Science and Transportation Committee
United States Senate**

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Madam Chairman, honorable members of the Committee, I appreciate the opportunity to testify today on behalf of the twenty-six tribes in the Pacific Fishery Council area.

I plan today to speak to five issues that bear on the reauthorization of the Magnuson-Stevens Act and add a comment.

Tribal Seat

In 1996, the Magnuson-Stevens Fishery Conservation and Management Act (MFCMA) was re-authorized and amended. A tribal seat on the Pacific Fishery Management Council was added at that time. The tribes continue their support of the tribal seat. One small area of improvement would be for the tribal seat to be allowed designees. This addition would allow for tribal representative(s) from a specific tribal area the opportunity to participate in the deliberations of fisheries within their area of interest. Currently other government agencies represented on the PFMC have the ability to have designees for their seats. This is an effective and useful process because it allows the designation of individuals with specific expertise on a regional or stock specific issue and it allows for the Council representative to have a stand-in when workload demands the representative to be elsewhere. The tribes are again requesting consideration of amending the tribal seat on the Council that would allow this designee request to be implemented in the reauthorization process.

Fishery Management Plans

As a result of the amendments to the MFCMA in 1996, a major process of amending the various Fishery Management Plans has been underway. While these amendments have often been useful and have dealt with needed issues, they have been very time consuming and have been a drain on Council resources as well as the resources of the various government agencies that work within the Council family. Also, many serious conservation concerns are facing most of our fisheries and the regional councils simply need more resources to deal with these additional issues. An ability to provide stipends for scientists participating in the groundfish management team, the salmon technical team, and the scientific and statistical committee would help ensure that the agencies (who provide these scientists) can devote the time of their top staff to serve on these advisory positions.

Bycatch

A critical issue facing the groundfish fisheries on the West Coast is bycatch. The declining trip limits for many species has aggravated the problem of dealing with bycatch. Because there is no observer program on the West Coast, the Council cannot measure the amount of bycatch in our fisheries adequately. This insufficiency has greatly complicated the Council's efforts to successfully deal with the problem. Any changes to the Act to facilitate the development and funding of an observer program would be helpful.

Individual Quotas

Another important issue is that of Individual Quotas. Currently there is a moratorium on the development and implementation of IQ's. While the tribes recognize that this is primarily a non-Indian issue, they support the concept of IQ's. IQ's can bring a great deal of stability to fisheries, which would benefit both Indian and non-Indian fishers.

Stock Assessments

Many of the problems facing fishery management on the West Coast, especially groundfish management have more to do with inadequate funding for both NMFS and the PFMC rather than problems with the Magnuson Act itself. Several of the groundfish stocks are very depleted and we have problems assessing the status of these stocks as well as developing recovery plans. The NMFS Triennial trawl survey is an important part of our stock assessment process. However, it is not done often enough and Congress seems to be moving away from funding adequate levels of NMFS research. Currently the Council tries to do stock assessments for each key species on a three-year basis. However, this is not adequate given the number of important species we try to manage and the number of species that are yet to be assessed. Stock assessments are expensive but necessary if we are to adequately manage fisheries.

Final Comment

Within the reauthorization process, we request Congress renew the commitment to the core purposes and policy statement behind the Magnuson-Stevens Act. That is to ensure conservation and management of the national fisheries resources and to promote domestic fisheries under sound conservation and management principles. In the management of the salmon resource in the Pacific Northwest, the Pacific Council must meet the obligations as defined by the Pacific Salmon Treaty, Indian Treaty Fishing Rights, ESA, and other domestic management considerations. Also, just as the Magnuson-Stevens Act is required to be in compliance with other applicable laws, the application of these other applicable laws need to comply with the Magnuson-Stevens Act. In the development and application of ESA obligations, there needs to be recognition of Magnuson-Stevens Act principles that these fishery resources are managed for utilization and under the goal for attainment of maximum sustainable yield.

This concludes my testimony and again I appreciate your consideration of my remarks.